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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,144	09/10/2003	Igor Katsman	137992	3041

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EXAMINER	
JAWORSKI, FRANCIS J	

ART UNIT	PAPER NUMBER
3737	

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/659,144	KATSMAN ET AL	
	Examiner	Art Unit	
	Jaworski Francis J.	3737	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 August 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 3-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 3-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1, 3-6, 8-13, 15-24 are rejected under 35 U.S.C. 102(b) as being obvious over Wood et al (US5715823) further in view of any of Miller et al (US6213944), Ali et al (US6501818) or Kerby et al (US6,716,172). Wood et al as earlier noted teaches conversion of the ultrasound image data for an identified patient into HTML format using an HTTP server for conventional Internet transport of images including cineloop (col. 9 bottom) to a remote PC having Web browser software such that the Web user may define the source and destination for requested image information. The user may define a search request for image data per col. 8 discussion.The HTTP server and Web

browser together with CGI software and network software serve in the scanner view and media view control functions of the latter claims. Whereas Wood et al is not directed per se to storage on a removable storage medium configured for access by a user device and/or in non-DICOM formatting, it would have been obvious in view of Miller et al col. 1 to store image data on a CDROM or floppy disc in removable storage medium 200 accessible to a user device by LAN or modem, see face figure, or in view of Ali et al Fig. 4 ultrasound scanner 1018 and Fig. 6 considered with col. 13 lines 52-68 to provide a uniform platform for a user device to view ultrasound image exam results as HTML documents, or in view of Kerby et al Fig. 1 and cols. 3-4 bridging to maintain DICOM headers on standard JPEP/MPEG compressed data so that the image can be viewed with any hardware.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wood et al in view of the secondary references as applied to claim 1 above, and further in view of Haskin (US5724101) as previously applied, since Fig. 3 together with ultrasound equivalence teaching col. 4 top and col. 7 lines 52-58 in that patent suggest that it was heretofore well-known to convert network-delivered images to formats appropriate for the user device..

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wood et al in view of the secondary references as applied to claim1 above, and further in view of Killcommons et al (US6424996) as previously argued since the latter evidences col. 2 bottom that compression formats such as JPEG are well-known for efficient ultrasound image data transfer over the Internet, see also col. 1 line 55.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wood et al in view of the secondary references as applied to claim13 above, and further in view of Johnson et al which as argued previously notes col. 10 bottom that a patient identifier includes redundant identifier sets (name, ID, Birthdate) against error.

Sumanaweera et al (US6659953) instructs in col. 3 lines 56-60 to store the ultrasound image in computer memory in any conventional format.

Response to Amendment Arguments

Newly cited art evidences that the additional claimed features of removable external media storage within the ultrasound system and/or compatibility with accession by a user device accessing the ultrasound system were heretofore contemplated by practitioners in the art.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Jaworski Francis J. at telephone number 571-272-4738

FJJ:fjj

11102005

Francis J. Jaworski
Primary Examiner